THE HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION NO.23766 OF 2005

DATE: 20th JUNE 2006

Between:

Kakarla Shanker, son of Narsaiah,
Aged 40 years, Occ: Fisherman and
Member of Fisherman cooperative Society,
Shermohammedpet, resident of
Shermohammedpet, Jaggaiahpet Mandal,
Krishna District.

.... Petitioner

And

The Person incharge,
The Fishermen Cooperative Society Ltd.,
Shermohammedpet, Jaggaiahpet Mandal,
Krishna District.

.... Respondent

* * *

ORDER:

This writ petition is filed seeking a writ of Mandamus declaring the action of the respondent in not conducting elections for the Fishermen Cooperative Society, Shermohammedpet, Jaggaiahpet Mandal, Krishna District, as arbitrary and illegal; and consequently to direct the respondent for conducting elections to the said society.

2. The sole respondent filed counter stating that he had received a representation on 15.11.2005 from the members of the said society to call for General Body meeting. The General Body

meeting was called on 07.12.2005 and the General Body opined that lot of funds and supervision requires for fish culture. The Special Officer is ineffective in mobilizing funds and unanimously resolved to conduct elections to the society to replace the Special Officer. In pursuance of resolution, proceedings have already been initiated while recommending for holding of elections. The matter is under consideration in respect of holding of elections before the Deputy Director, Fisheries, Machilipatnam. As per the directions of Deputy Director, elections will be held within prescribed time.

3. In view of the above, there is no necessity of issuing Mandamus. However, if elections, as stated in the counter, were not ordered, the same shall be ordered and completed within one month from today.

4. With the above direction, the writ petition is disposed of. No costs.

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C.V.RAMULU, J.

Date: 20th June 2006.
BSB